

Form PTO-1390  
(REV 10-95)

U.S. Department of Commerce Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER

ORTHO-A-CIP-PCT. US

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

107-089100

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

~~107-089040~~

INTERNATIONAL APPLICATION NO.

PCT/US96/13570

INTERNATIONAL FILING DATE

19 August 1996

PRIORITY DATE CLAIMED

23 August 1995

TITLE OF INVENTION: Open Helical Organic Tissue Anchor and Method of Facilitating Healing

APPLICANT(S) FOR DO/EO/US Ortho Helix Limited/ Kay, David B.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2))
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Express Mail Certificate

Verified Statement Claiming Small Entity Status

Rule 34 Amendment

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER																																																																													
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<p><b>107089107</b></p> <p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (A) (1)-(5):</p> <p>Search Report has been prepared by the EPO or JPO ..... \$880.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$680.00</p> <p>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$770.00</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1010.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00</p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).      20 <input type="checkbox"/>    30 <input type="checkbox"/></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:15%;"></th> <th style="width:15%;"></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>18    -20 =</td> <td></td> <td>X\$</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>5        -3 =</td> <td></td> <td>X\$80.00</td> <td>\$ 160.00</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+\$250.00</td> <td>\$ -0-</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 256.00</td> <td></td> </tr> <tr> <td colspan="4">Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37CFR 1.9, 1.27, 1.28)</td> <td>\$ 128.00</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL =</b></td> <td>\$ 128.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).      20 <input type="checkbox"/>    30 <input type="checkbox"/>    +</td> <td>\$ -0-</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td>\$ 128.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$ 128.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td>Charged:</td> <td>\$</td> </tr> </tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total Claims	18    -20 =		X\$	\$		Independent Claims	5        -3 =		X\$80.00	\$ 160.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$250.00	\$ -0-		<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 256.00		Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37CFR 1.9, 1.27, 1.28)				\$ 128.00		<b>SUBTOTAL =</b>				\$ 128.00		Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).      20 <input type="checkbox"/> 30 <input type="checkbox"/> +				\$ -0-		<b>TOTAL NATIONAL FEE =</b>				\$ 128.00		Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$		<b>TOTAL FEES ENCLOSED =</b>				\$ 128.00						Amount to be refunded:	\$					Charged:	\$
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- a. ☒ A check in the amount of \$ 128.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit No. 08-3150. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Laura F. Shunk, Esq.  
Hudak & Shunk Co, L.P.A.  
7 West Bowery Street, Suite 808  
Akron, Ohio 44308-1133  
(330) 535-2220

X Laura F. Shunk  
Signature  
\_\_\_\_\_  
Name  
31.423  
Registration Number